

INITIAL STUDY

PROJECT FILE NO.: PDC08-002

PROJECT DESCRIPTION: Planned Development Rezoning from HI Heavy Industrial Zoning District to HI(PD) Planned Development Zoning District to allow relocation of a previously removed billboard face from 1000 Bascom Avenue to an existing trucking operation site at 1605 Industrial Avenue. Also proposed is a Billboard Height Alteration agreement to require the removal of two existing billboards, located at the south west corner of Park Avenue and Sonoma Street, 1750 Junction Court, and 1605 Industrial Avenue, to allow the construction of a new dual-faced billboard at 1605 Industrial Avenue, and to allow the new billboard to extend up to 50' in height. No changes to the existing use of 1605 Industrial Avenue are proposed.

PROJECT LOCATIONS: Northerly terminus of Industrial Avenue (1605 Industrial Avenue)

South west corner of Park Avenue and Sonoma Street

East side of Junction Court, approximately 130 feet north of Junction Ave. (1750 Junction Ave)

EXISTING GENERAL PLAN DESIGNATION OF 1605 INDUSTRIAL AVE: Heavy Industrial

EXISTING ZONING OF 1605 INDUSTRIAL AVE: HI Heavy Industrial

1605 INDUSTRIAL AVE: SURROUNDING LAND USES / GENERAL PLAN / ZONING:

North: Various Industrial Uses/Heavy Industrial/HI Heavy Industrial

South: Various Industrial Uses/Heavy Industrial/HI Heavy Industrial

East: Various Industrial Uses/Heavy Industrial/HI Heavy Industrial

West: Interstate 880/Heavy Industrial/HI Heavy Industrial

PROJECT APPLICANT'S NAME AND ADDRESS: Clear Channel Outdoor, Robert Hatton, 555 S. 12th Street, Oakland, CA 94607

DETERMINATION

On the basis of this initial study:

<input type="checkbox"/>	I find the proposed project could not have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input checked="" type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the project proponent has agreed to revise the project to avoid any significant effect. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/>	I find the proposed project could have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT(EIR) is required.
<input type="checkbox"/>	I find the proposed project could have a significant effect on the environment, but at least one effect has been (1) adequately analyzed in a previous document pursuant to applicable legal standards, and (2) addressed by mitigation measures based on the previous analysis as described in the attached initial study. An EIR is required that analyzes only the effects that were not adequately addressed in a previous document.
<input type="checkbox"/>	I find that although the proposed project could have a significant effect on the environment, no further environmental analysis is required because all potentially significant effects have been (1) adequately analyzed in an earlier EIR or NEGATIVE DECLARATION pursuant to applicable standards, and (2) avoided or mitigated pursuant to that earlier EIR or NEGATIVE DECLARATION , including revisions or mitigation measures that are included in the project, and further analysis is not required.

Date

Signature

Name of Preparer: Martina Davis

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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I. AESTHETICS - Would the project:

a) Have a substantial adverse effect on a scenic vista?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
b) Substantially damage scenic resources, including, but not limited to, trees, rock out-croppings, and historic buildings within a state scenic highway?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
c) Substantially degrade the existing visual character or quality of the site and its surroundings?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2
d) Create a new source of substantial light or glare that would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1,2
e) Increase the amount of shading on public open space (e.g. parks, plazas, and/or school yards) ?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2

FINDINGS:

The construction of new billboards could constitute a significant aesthetic impact if the billboard would be visible from the right-of-way of either a State or City designated scenic highway. There are no State designated scenic highways within the City of San Jose. San Jose has designated State Routes 85, 87, 280, and 237, as well as the U.S. Route 101 bypass southerly of Ford Road as scenic highways. The proposed billboard would not be visible from any of these right-of-ways.

The project would result in the removal of a billboard from the southwest corner of Park Avenue and Sonoma Street and the removal of a billboard from 1750 Junction Court. All portions of the billboard structure and lighting would be removed from the sites. This would result in a positive aesthetic impact to these sites and their surroundings.

Height and Surface Area of New Billboard Signage

The project would result in the removal of an existing billboard, with a single northern-oriented sign face, with a new dual-faced billboard, with one sign facing north and one sign facing south at 1605 Industrial Avenue. The new billboard would be constructed in the general location of the billboard that is removed.

The existing billboard at this site is between 40 and 50 feet in height and contains 672 square feet of signage area. The proposed billboard would be a maximum of 50 feet in height and would include up to 1,344 square feet of signage area, which would be a net increase of 672 square footage of sign area than that currently exists at the site. The signs would be positioned so that one billboard face is visible from the right-of-way of the highway for southbound traffic, where the other face would be visible to northbound traffic. Further, the existing billboard has only one signage face which causes the existing view from northbound traffic on the Interstate to be of the rear of the sign and the structural support of the billboard. This proposal would replace the existing view of the rear of a sign with a new sign, which would result in a negligible change to the site aesthetics.

Lighting

The construction of the new billboard at 1605 Industrial Avenue would result in the installation of new lighting fixtures on this new sign. Each signage face would have two associated lighting fixtures. The proposed lighting fixtures are low intensity, would not focus light skyward, but rather on the billboard face, and would be turned off before 12:00 a.m. to minimize effects on the Lick Observatory. This conforms to the intent of the City Council Outdoor Lighting Policy, which is intended “to promote energy efficient outdoor lighting on private development... that provides adequate light for nighttime activities while benefiting the continued enjoyment of the night sky and continuing operation of the Lick Observatory by reducing light pollution and sky glow.”

MITIGATION MEASURES: No lighting shall be directed skyward. All billboard lighting shall be turned off no later than 12:00 midnight

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II. AGRICULTURE RESOURCES - Would the project:

a) Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4
b) Conflict with existing zoning for agricultural use, or a Williamson Act contract?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4
c) Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland, to non-agricultural use?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,3,4

FINDINGS:

The project sites are not located in an area identified as prime farmland, nor are the sites being used for or zoned for agricultural use. Therefore, the proposed project will not result in a significant impact on the City's or Region's agricultural resources.

MITIGATION MEASURES: None Required.

III. AIR QUALITY - Would the project:

a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,14
b) Violate any air quality standard or contribute substantially to an existing or projected air quality violation?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,14
c) Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is classified as non-attainment under an applicable federal or state ambient air quality standard (including releasing emissions that exceed quantitative thresholds for ozone precursors)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,14
d) Expose sensitive receptors to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,14
e) Create objectionable odors affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,14

FINDINGS:

The City of San Jose uses the threshold of significance established by the Bay Area Air Quality Management District (BAAQMD) to assess air quality impacts. Based on the BAAQMD threshold of significance, projects that generate fewer than 2,000 vehicle trips per day are not considered major air pollutant contributors and do not require a technical air quality study. As the scope of this project is for removal and replacement of billboards, no traffic would be generated as a result of the proposal.

Temporary Air Quality impacts may result from the excavation of soil during boring activities to install the new billboard on the subject site. Temporary Air Quality impacts are not anticipated from the demolition of the existing billboards as the demolitions would not result in soil disturbance. Implementation of the standard measures listed below will reduce the temporary construction impacts to a less than significant level.

STANDARD MEASURES: The following construction practices shall be implemented during all phases of construction for the proposed project to prevent visible dust emissions from leaving the site.

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- Water all active construction areas at least twice daily and more often during windy periods to prevent visible dust from leaving the site; active areas adjacent to windy periods; active areas adjacent to existing land uses shall be kept damp at all times, or shall be treated with non-toxic stabilizers or dust palliatives.
- Cover all trucks hauling soil, sand, and other loose materials or require all trucks to maintain at least 2 feet of freeboard;
- Pave, apply water at least three times daily, or apply (non-toxic) soil stabilizers on all unpaved access roads, parking areas and staging areas at construction sites.
- Sweep daily (or more often if necessary) to prevent visible dust from leaving the site (preferably with water sweepers) all paved access roads, parking areas, and staging areas at construction sites; water sweepers shall vacuum up excess water to avoid runoff-related impacts to water quality; and
- Sweep streets daily, or more often if necessary (preferably with water sweepers) if visible soil material is carried onto adjacent public streets.

IV. BIOLOGICAL RESOURCES - Would the project:

a) Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,10
b) Have a substantial adverse effect on any aquatic, wetland, or riparian habitat or other sensitive natural community identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,6,10
c) Have a substantial adverse effect on federally protected wetlands as defined by Section 404 of the Clean Water Act including, but not limited to, marsh, vernal pool, coastal, etc., through direct removal, filling, hydrological interruption, or other means?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,6
d) Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,10
e) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,11
f) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2

FINDINGS:

No rare, threatened, endangered or special status species of flora or fauna are known to inhabit the project sites. No trees would be removed as part of this proposal

MITIGATION MEASURES: None Required.

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V. CULTURAL RESOURCES - Would the project:

a) Cause a substantial adverse change in the significance of an historical resource as defined in CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,7
b) Cause a substantial adverse change in the significance of an archaeological resource pursuant to CEQA Guidelines §15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,8
c) Directly or indirectly destroy a unique paleontological resource or site, or unique geologic feature?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,8
d) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,8

FINDINGS:

According to the City's Archaeological Sensitivity Map, the project sites at 1750 Junction Avenue and the south west corner of Park Avenue and Sonoma Street have a potential for the discovery of archaeological resources and are therefore considered archaeologically sensitive. Only the portions of the billboards above grade will be removed, and no soil disturbance is anticipated, therefore the removal of these billboards would not have an impact to archaeological resources.

According to the City's Archaeological Sensitivity Map 1605 Industrial Avenue is located in an area of archaeological sensitivity and therefore has a potential for the discovery of archaeological resources. The removal of the existing billboard would be limited to excavation of previously disturbed soil, therefore no impacts are anticipated as part of this activity. However, the installation of the new billboard would involve boring a hole for the foundation of the billboard that would be 6 foot in diameter and approximately 25-30 feet deep. Miley Holman of Holman & Associates has reviewed the proposal and determined that based on the currently disturbed nature of the site and the scope of work of this project, the likelihood to encounter archaeological resources during excavation is minimal and no further archaeological testing or monitoring is required.

STANDARD MEASURES:

Should evidence of prehistoric cultural resources be discovered during construction, work within 50 feet of the find shall be stopped to allow adequate time for evaluation and mitigation by a qualified professional archaeologist. The material shall be evaluated and if significant, a mitigation program including collection and analysis of the materials at a recognized storage facility shall be developed and implemented under the direction of the City's Environmental Principal Planner.

As required by County ordinance, this project has incorporated the following guidelines. - Pursuant to Section 7050.5 of the Health and Safety Code, and Section 5097.94 of the Public Resources Code of the State of California in the event of the discovery of human remains during construction, there shall be no further excavation or disturbance of the site or any nearby area reasonably suspected to overlie adjacent remains. The Santa Clara County Coroner shall be notified and shall make a determination as to whether the remains are Native American. If the Coroner determines that the remains are not subject to his authority, he shall notify the Native American Heritage Commission who shall attempt to identify descendants of the deceased Native American. If no satisfactory agreement can be reached as to the disposition of the remains pursuant to this State law, then the land owner shall re-inter the human remains and items associated with Native American burials on the property in a location not subject to further subsurface disturbance.

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VI. GEOLOGY AND SOILS - Would the project:

a) Expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving:					
1) Rupture of a known earthquake fault, as described on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault? (Refer to Division of Mines and Geology Special Publication 42.)	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24
2) Strong seismic ground shaking?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,5,24
3) Seismic-related ground failure, including liquefaction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24
4) Landslides?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24
b) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24
c) Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24
d) Be located on expansive soil, as defined in Table 18-1-B of the Uniform Building Code (1994), creating substantial risks to life or property?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24
e) Have soils incapable of adequately supporting the use of septic tanks or alternative wastewater disposal systems where sewers are not available for the disposal of wastewater?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,5,24

FINDINGS:

The project sites are not located within a Geologic Hazard Zone or Liquefaction Zone. However, the project sites are located within the seismically active San Francisco region, which requires that the billboard be designed and built in conformance with the requirements of the 1997 Uniform Building Code for Seismic Zone 4 (IBC?). The potential for geologic and soils impacts resulting from conditions on the site can be mitigated by utilizing standard engineering and construction techniques. As the project includes these required measures, the potential for seismic impacts will be less than significant.

STANDARD MEASURES:

- The proposed structures on the site would be designed and constructed in conformance with the Uniform Building Code Guidelines for Seismic Zone 4 to avoid or minimize potential damage from seismic shaking on the site.

VII. HAZARDS AND HAZARDOUS MATERIALS - Would the project:

a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	1
b) Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
c) Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter mile of an existing or proposed school?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

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d) Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,12
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
f) For a project within the vicinity of a private airstrip, would the project result in a safety hazard for people residing or working in the project area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
g) Impair implementation of, or physically interfere with, an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
h) Expose people or structures to a significant risk of loss, injury or death involving wildland fires, including where wildlands are adjacent to urbanized areas or where residences are intermixed with wildlands?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

FINDINGS:

Billboards are not known to contain hazardous materials, such as asbestos. No excavation of the sites would occur during removal activities, therefore the removal of the billboards is not anticipated to create a hazard through the release or hazardous substances.

1605 Industrial Avenue is not currently included on the State DTSC's Hazardous Waste and Substances Site List (Cortese List). The project site is not listed on other federal or state databases. However, there was a previously removed leaking underground fuel tank on the site. The project site is currently undergoing remediation for this leak through the County of Santa Clara. The Municipal Environmental Compliance Officer reviewed the documentation on file with the County regarding the fuel leak, and stated that neither the existing or proposed billboards appear to be in the location of contaminated soil, therefore would likely not be affected by this condition. However, there is a possibility of encountering contaminated soil during the excavation activities required for the installation of the new billboard, therefore the contractor should be informed of this potential so to appropriately handle contaminated soils.

MITIGATION MEASURES: The billboard shall be located on the site outside of the known area of contamination from the leaking underground fuel tank. Project contractors shall be informed, in writing, of the potential of encountering contaminated soil, and a copy of this warning shall be provided to the City of San Jose Environmental Principal Planner prior to the commencement of construction. Qualified personnel shall be present on site during excavation activities to monitor for contamination. If contaminated soils are encountered during excavation and construction activities the applicant shall inform the County of Santa Clara Department of Environmental Health and the City of San Jose, and shall follow appropriate measures for handling and disposal of these soils.

VIII. HYDROLOGY AND WATER QUALITY - Would the project:

a) Violate any water quality standards or waste discharge requirements?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,15
b) Substantially deplete groundwater supplies or interfere substantially with groundwater recharge such that there would be a net deficit in aquifer volume or a lowering of the local groundwater table level (e.g., the production rate of pre-existing nearby wells would drop to a level which would not support existing land uses or planned uses for which permits have been granted)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

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c) Substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river, in a manner which would result in substantial erosion or siltation on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
d) Substantially alter the existing drainage pattern of the site or area, including through the alteration of the course of a stream or river, or substantially increase the rate or amount of surface runoff in a manner that would result in flooding on-or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
e) Create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,17
f) Otherwise substantially degrade water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
g) Place housing within a 100-year flood hazard area as mapped on a Federal Flood Hazard Boundary or Flood Insurance Rate Map or other flood hazard delineation map?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,9
h) Place within a 100-year flood hazard area structures that would impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,9
i) Expose people or structures to a significant risk of loss, injury, or death involving flooding, including flooding as a result of the failure of a levee or dam?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
j) Be subject to inundation by seiche, tsunami, or mudflow?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

FINDINGS:

The removal of the billboards at 1750 Junction Avenue and the southwest corner of Park Avenue and Sonoma Street will be limited to removal of the portions of the structures above the grade, therefore will have not effect on hydrology and water quality.

Based on the FEMA flood insurance maps for the City of San Jose, the project sites are not located within a 100-year floodplain and would therefore have no impact on 100-year flows. The project would not expose people to flood hazards associated with the 100-year flood. The site is not subject to seiche or tsunami.

The discharge of stormwater from the City's municipal storm sewer system is regulated primarily under the federal Clean Water Act and California's Porter-Cologne Water Quality Control Act. The San Francisco Bay Regional Water Quality Control Board (RWQCB) implements these regulations at the regional level. New construction in San Jose is subject to the conditions of the City's NPDES Permit, which was reissued by the RWQCB in February 2001. Additional water quality control measures were approved in October 2001 (revised in 2005), when the RWQCB adopted an amendment to the NPDES permit for Santa Clara County. This amendment, which is commonly referred to as "C3" requires all new and redevelopment projects that result in the addition or replacement of impervious surfaces totaling 10,000 sq ft or more to 1) include storm water treatment measures; 2) ensure that the treatment measures be designed to treat an optimal volume or flow of storm water runoff from the project site; and 3) ensure that storm water treatment measures are properly installed, operated and maintained.

The scope of work for the project is limited to the construction of the new billboard, which would require a hole that is 6 feet in diameter and approximately 25 to 30 feet deep. This would be located in an area that is currently covered in gravel, for an increase of approximately 28 square feet of impervious surface. As the project would result in the addition of less than 10,000 square feet of impervious surface, no stormwater treatment measures are required.

STANDARD MEASURES:

The project shall incorporate Best Management Practices (BMPs) into the project to control the discharge of stormwater pollutants including sediments associated with construction activities. Examples of BMPs are contained in the publication *Blueprint for a Clean Bay*

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IX. LAND USE AND PLANNING - Would the project:

a) Physically divide an established community?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
b) Conflict with any applicable land use plan, policy, or regulation of an agency with jurisdiction over the project (including, but not limited to the general plan, specific plan, local coastal program, or zoning ordinance) adopted for the purpose of avoiding or mitigating an environmental effect?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
c) Conflict with any applicable habitat conservation plan or natural community conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2

FINDINGS: Projects that have the potential to physically divide an established community include new freeways and highways, major arterials streets, and railroad lines. The proposed project will not physically divide an established community.

The proposed project would result in the removal of two billboards within the City of San Jose and the replacement of one existing billboard with a new dual-faced billboard. The San Jose 2020 General Plan states “new billboards should be permitted... only where they do not create visual clutter and blight. The relocation of existing billboards from impacted areas to locations where they would have a less visually blighting impact [is encouraged].” As discussed in the Aesthetics section this proposal would result in a net reduction in billboard faces in the City and would cause existing older billboards to be removed and replaced in a more appropriate location along an interstate highway, which is consistent with the General Plan.

The subject site is not located in an area that is protected by an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state conservation plan. Therefore, no impacts would occur as a result of the new project.

MITIGATION MEASURES: None Required.

X. MINERAL RESOURCES - Would the project:

a) Result in the loss of availability of a known mineral resource that would be of value to the region and the residents of the state?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,23
b) Result in the loss of availability of a locally-important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,23

FINDINGS:

Extractive resources known to exist in and near the Santa Clara Valley include cement, sand, gravel, crushed rock, clay, and limestone. Santa Clara County has also supplied a significant portion of the nation's mercury over the past century. Pursuant to the mandate of the Surface Mining and Reclamation Act of 1975 (SMARA), the State Mining and Geology Board has designated: the Communications Hill Area (Sector EE), bounded generally by the Southern Pacific Railroad, Curtner Avenue, State Route 87, and Hillsdale Avenue, as containing mineral deposits which are of regional significance as a source of construction aggregate materials.

Neither the State Geologist nor the State Mining and Geology Board has classified any other areas in San José as containing mineral deposits which are either of statewide significance or the significance of which requires further evaluation. Therefore, other than the Communications Hill area cited above, San José does not have mineral deposits subject to SMARA.

The project sites are outside of the Communications Hill area, and will therefore not result in a significant impact from the loss of availability of a known mineral resource.

MITIGATION MEASURES: None Required.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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XI. NOISE - Would the project result in:

a) Exposure of persons to, or generation of, noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,2,13,18
b) Exposure of persons to, or generation of, excessive groundborne vibration or groundborne noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1
c) A substantial permanent increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
d) A substantial temporary or periodic increase in ambient noise levels in the project vicinity above levels existing without the project?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
e) For a project located within an airport land use plan or, where such a plan has not been adopted, within two miles of a public airport or public use airport, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
f) For a project within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

FINDINGS:

Both the sites at 1750 Junction Court and 1605 Industrial Avenue are located within the Heavy Industrial Zoning Districts. The site at 1750 Junction Court is vacant and the surrounded by industrial uses. 1605 Industrial Avenue is occupied by a truck yard, and is surrounded by other heavy industrial uses. Both sites are adjacent to Interstate 880, which generates substantial noise. The projected impacts from construction and demolition noise would be negligible compared to ambient noise at the sites, and the sites are not near sensitive receptors.

The site at the south west corner of Park Avenue and Sonoma Street is located adjacent to residential uses to the north, therefore noise from demolitions activities could impact these sensitive receptors. Noise impacts resulting from construction depend on: 1) the noise generated by various pieces of construction equipment; 2) the timing and duration of noise generating activities; 3) the distance between construction noise sources and noise sensitive receptors; and 4) existing ambient noise levels. Typical hourly average construction noise levels are 75 to 80 dBA measured at a distance of 100 feet from the site during busy construction periods. Because the duration of construction would take approximately one to two working days, the project would not result in significant short-term construction related noise impacts. Further, standard measures, as described below, are included in the project to avoid or further reduce noise impacts.

STANDARD MEASURES: The removal of the billboard located at the corner of Park Avenue and Sonoma Street shall implement the following standard measures:

- Construction will be limited to the hours of 7:00 a.m. to 7:00 p.m. Monday through Friday for any on-site or off-site work within 500 feet of any residential unit. Construction outside of these hours may be approved through a development permit based on a site-specific construction noise mitigation plan and a finding by the Director of Planning, Building and Code Enforcement that the construction noise mitigation plan is adequate to prevent noise disturbance of affected residential uses.
- The contractor shall use “new technology” power construction equipment with state-of-the-art noise shielding and muffling devices. All internal combustion engines used on the project site shall be equipped with adequate mufflers and shall be in good mechanical condition to minimize noise created by faulty or poor maintained engines or other components.
- Locate stationary noise generating equipment as far as possible from sensitive receptors. Staging areas shall be located a minimum of 200 feet from noise sensitive receptors, such as residential uses.

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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XII. POPULATION AND HOUSING - Would the project:

a) Induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
b) Displace substantial numbers of existing housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1
c) Displace substantial numbers of people, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1

FINDINGS:

The proposed Rezoning and Billboard Height Alteration Agreement would not involve the demolition or construction of residential units, therefore the project would not affect Population and Housing.

MITIGATION MEASURES:**XIII. PUBLIC SERVICES**

a) Result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the public services:					
Fire Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
Police Protection?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
Schools?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
Parks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
Other Public Facilities?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2

FINDINGS:

The proposed Zoning and Billboard Height Alteration Agreement would not change the underlying use of any of the project sites, therefore would not affect public services.

MITIGATION MEASURES: None Required**XIV. RECREATION**

a) Would the project increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2
b) Does the project include recreational facilities or require the construction or expansion of recreational facilities that might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2

FINDINGS:

The proposed Zoning and Billboard Height Alteration Agreement would not change the underlying use of any of the project sites, therefore would not affect parks or recreation

MITIGATION MEASURES: None Required

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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XV. TRANSPORTATION / TRAFFIC - Would the project:

a) Cause an increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system (i.e., result in a substantial increase in either the number of vehicle trips, the volume to capacity ratio of roads, or congestion at intersections)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,19
b) Exceed, either individually or cumulatively, a level of service standard established by the county congestion management agency for designated roads or highways?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,19
c) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,19
d) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible land uses (e.g., farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,19
e) Result in inadequate emergency access?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,20
f) Result in inadequate parking capacity?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,18
g) Conflict with adopted policies, plans, or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,18

FINDINGS:

The project pertains to the removal and replacement of billboards only, and would not change the underlying land use designations or zoning standards for any of the subject sites, therefore the project would not affect Transportation and Traffic.

MITIGATION MEASURES: None Required

XVI. UTILITIES AND SERVICE SYSTEMS - Would the project:

a) Exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,15
b) Require or result in the construction of new water or wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,2,21
c) Require or result in the construction of new stormwater drainage facilities or expansion of existing facilities, the construction of which could cause significant environmental effects?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,17
d) Have sufficient water supplies available to serve the project from existing entitlements and resources, or are new or expanded entitlements needed?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,22
e) Result in a determination by the wastewater treatment provider which serves or may serve the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,21
f) Be served by a landfill with sufficient permitted capacity to accommodate the project's solid waste disposal needs?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,21
g) Comply with federal, state, and local statutes and regulations related to solid waste?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	1,21

FINDINGS:

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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The proposed project would not require construction of new facilities for wastewater treatment, storm drainage, water, or waste disposal because the subject site is located within the City of San Jose Urban Service Area where such facilities exist, and have the capacity to serve the proposed project.

MITIGATION MEASURES: None Require

XVII. MANDATORY FINDINGS OF SIGNIFICANCE

a) Does the project have the potential to (1) degrade the quality of the environment, (2) substantially reduce the habitat of a fish or wildlife species, (3) cause a fish or wildlife population to drop below self-sustaining levels, (4) threaten to eliminate a plant or animal community, (5) reduce the number or restrict the range of a rare or endangered plant or animal, or (6) eliminate important examples of the major periods of California history or prehistory?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,10
b) Does the project have impacts that are individually limited, but cumulatively considerable? "Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, the effects of other current projects, and the effects of probable future projects.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1,16
c) Does the project have environmental effects which will cause substantial adverse effects on human beings, either directly or indirectly?	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	1

FINDINGS:

As discussed in the previous sections, the proposed project could potentially have significant environmental effects with respect to Aesthetics and Hazards and Hazardous Materials. With the above noted mitigation, however, the impacts of the proposed project would be reduced to a less than significant level.

MITIGATION MEASURES: See Above

<i>Issues</i>	<i>Potentially Significant Impact</i>	<i>Less Than Significant With Mitigation Incorporated</i>	<i>Less Than Significant Impact</i>	<i>No Impact</i>	<i>Information Sources</i>
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CHECKLIST REFERENCES

1. Environmental Clearance Application – File No. PDC08-002
2. San Jose 2020 General Plan
3. USDA, Soil Conservation Service, Soil Survey of SC County, August 1968
4. USDA, Soil Conservation Service, Important Farmlands of SC County map, June 1979
5. State of California's Geo-Hazard maps / Alquist Priolo Fault maps
6. Riparian Corridor Policy Study 1994
7. San Jose Historic Resources Inventory
8. City of San Jose Archeological Sensitivity Maps
9. FEMA Flood Insurance Rate Map, Santa Clara County, 1986
10. California Department of Fish & Game, California Natural Diversity Database, 2001
11. City of San Jose Heritage Tree Survey Report
12. California Environmental Protection Agency Hazardous Waste and Substances Sites List, 1998
13. City of San Jose Noise Exposure Map for the 2020 General Plan
14. BAAQMD CEQA Guidelines, Bay Area Air Quality Management District. April 1996, revised 1999.
15. San Francisco Bay Regional Water Quality Control Board 1995 Basin Plan
16. Final Environmental Impact Report, City of San Jose, SJ 2020 General Plan
17. Santa Clara Valley Water District
18. City of San Jose Title 20 Zoning Ordinance
19. San Jose Department of Public Works
20. San Jose Fire Department
21. San Jose Environmental Services Department
22. San Jose Water Company, Great Oaks Water Company
23. California Division of Mines and Geology
24. Cooper Clark, San Jose Geotechnical Information Maps, July 1974